

Message Text

CONFIDENTIAL

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C O N F I D E N T I A L LONDON 04863

E.O. 11652: GDS

TAGS: ETRD, SZ, US

SUBJECT: ANTITRUST INQUIRY: US VS. CIBA

1. JOEL DAVIDOW (CHIEF, FOREIGN COMMERCE SECTION, ANTITRUST DIVISION, DEPARTMENT OF JUSTICE) REQUESTS EMBASSY ADVICE ON FOLLOWING MATTER. PROFESSOR HEINZ HEINRICH GROSS (SWISS CITIZEN RESIDENT IN BASEL AND LECTURER AT UNIVERSITY OF STRASBOURG) IS POTENTIAL WITNESS IN US VS. CIBA, AN ANTITRUST CASE INVOLVING POSSIBLE FRAUD IN 1958 PATENT PROCESS. HE HAS AGREED TO MEET DAVIDOW AT 1145 ON APRIL 5 IN BASEL AIRPORT. IN LIGHT OF RECENT STANLEY ADAMS CASE, DAVIDOW IS CONCERNED THAT MEETING MAY PLACE GROSS IN LEGAL JEOPARDY. FYI: ACCORDING TO DAVIDOW, GROSS FEELS SWISS AUTHORITIES WILL NOT BE CONCERNED AS BASEL AIRPORT LOCATED IN FRANCE RATHER THAN ON SWISS TERRITORY. END FYI

2. DAVIDOW WOULD LIKE EMBASSY OPINION ON WHETHER MEETING SHOULD BE CLEARED WITH SWISS AUTHORITIES. HE BELIEVES A SIMILAR CASE AROSE ABOUT SIX MONTHS AGO WHICH WAS CLEARED WITH THE SWISS. IF EMBASSY DOES FEEL IT SHOULD BE CLEARED, IT SHOULD GO AHEAD AND DO SO AS SOON AS POSSIBLE. PLEASE ADVISE ASAP.

RICHARDSON

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